

C15-2011-0046

Board of Adjustment Variance Request

Kreisle Residence



Remodel & Addition

1512 Hardouin Avenue

Austin, Texas 78703

Lot:

S 93.7' of Lot 1 and W 20' of Lot 2

Block:

Block 4, Pemberton Heights



CASE # C15-2011-0046
ROW # 10575791

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

TP-0115010312

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 1512 Hardouin Avenue / Austin, Texas 78703

LEGAL DESCRIPTION: Subdivision – Pemberton Heights

Lot(s): S 93.7' of Lot 1 and W20' of Lot 2 Block: 4 Outlot: Division:

I/ James Holland on behalf of myself/ as authorized agent for Matt and Rita Kreisle
affirm that on March 22, 2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

 ERECT X ATTACH COMPLETE REMODEL MAINTAIN

Attach 1) an Open Front Porch, 2) one additional off-street parking space, and 3)
walkways interconnecting with existing public sidewalks to an existing residence
requiring an increase in impervious coverage from 4,103 SF (44.9 %) to 4,754 SF (52.0
%) in a SF-3 - RP district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
See Attached Narrative

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
See Attached Narrative

(b) The hardship is not general to the area in which the property is located because:

See Attached Narrative

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

See Attached Narrative

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

Not Required

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

Not Required

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

Not Required

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Not Required

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed James H. Holland Mail Address 1413 Preston Avenue

City, State & Zip Austin, Texas 78703

Printed James Holland Phone (512) 577-2061 Date March 22, 2011

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Matthew F. Kreisle, III Mail Address 1512 Hardouin Avenue

City, State & Zip Austin, Texas, 78702

Printed Matthew F. Kreisle, III, AIA Phone 512 / 451-1015
Date March 22, 2011

RESPONSE INSERTS

INTRODUCTION

Located at the northeast corner of Harris Boulevard and Hardouin Avenue in the Pemberton Heights (PH) Neighborhood, our .210 Acre Lot (9,148 SF) is zoned SF-3 with a maximum Impervious Coverage limitation of 45% -- equating to a maximum of 4,117 SF. The original Lot was elongated in shape as is typical in PH -- extending north to mid-block aligning with the adjacent properties on Hardouin. At some point, it was re-subdivided to increase the area of the adjacent property facing Harris, resulting in a smaller lot of square configuration that is unique to the PH neighborhood (see Plan 1).

The existing residence was constructed in 1987 and is of no historical significance. Our Remodel and Addition program calls for the following intended uses and goals (see Plan 2 and Additional Materials):

- 1) The addition of a single-story 311 SF office-studio and private terrace to the rear of the existing house;
- 2) The addition of a 628 SF Master Bedroom suite above the existing Garage; and
- 3) *To reinforce Pemberton Height Neighborhood priorities through the program and design of our project*

We are capable of meeting the initial two *personal* goals for our program in expanding the area of the house to accommodate our intended uses within the current approved FAR requirements and Impervious Coverage limitations. Our request for raising the Impervious Coverage allowable is based on our desire to achieve our third goal for reinforcing the Pemberton Heights Neighborhood priorities in terms of its **quality, character, friendliness** and **safety** through the following improvements which will require a variance through the Board of Adjustments to increase the Impervious Coverage Allowable (See Plan 2):

- a) The addition of an open and inviting front porch typical of and in character with the Pemberton Heights Neighborhood which provides a friendly and welcoming look -- versus the high walls around homes that are beginning to appear;
- b) The addition of *one* additional off-street parking space to help minimize cars on the street which restrict thru traffic circulation and obstruct views at this intersection -- while reducing the potential for vandalism and crime as has become more and more prevalent in this area.
- c) The addition of two walks connecting our proposed front porch and rear terrace to the adjacent public sidewalk in order to integrate our house with the existing neighborhood pedestrian network;

OUR REQUEST

In order to provide flexibility for the Board's decision making process, we are requesting variances in a menu format according to the following chart as it reflects our priorities:

<u>VARIANCE REQUEST</u>	<u>SQUARE FOOTAGE</u>	<u>ACCUMULATIVE SF</u>	<u>ACCUMULATIVE %</u>
Baseline Impervious Coverage	4,103 SF	4,103 SF	44.9 %
Additional Improvements Proposed:			
a) Open Front Porch	+ 211 SF	4,314 SF	47.2 %
b) Additional Off-Street Parking	+ 261 SF	4,575 SF	50.0 %
c) Sidewalks	+ 184 SF	4,759 SF	52.0 %
TOTAL IMPERVIOUS COVERAGE ON BASIS OF <u>LEGAL</u> LOT AREA (9,149 SF)			52.0 %

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

We feel that in assessing **reasonable use** of our lot under the SF-3 Zoning Regulations, consideration should be given to the *uniqueness* of a specific property and the resulting *hardship* or *public safety* issues thereby imposed on its use that are not typical of other comparable properties for which the Regulations were intended. Our lot is unique in this regard with respect to the following:

Lot Configuration and Location

The typical lot in the Pemberton Heights Neighborhood (PHN) has an elongated configuration and is located at mid-block on internal neighborhood roadways. Because of how our lot has been historically subdivided, it is smaller, square in configuration, and located at a prominent corner location off of Harris Boulevard, the primary roadway serving the Pemberton Heights neighborhood (see Plan 3).

Street Widths and ROW Setbacks

Typically, Austin neighborhoods have either 60' or 80' Street Right-of-Way (ROW) widths with 8' or 10' ROW setbacks. Pemberton Heights was planned with narrower streets and deeper public ROWs with public sidewalks that are accommodated by an additional 10' increase in the ROW setbacks to 18' or 20' total (see Plan 4).

Impacts

As a result of these *unique* attributes, the reasonable use of our property has been impacted. To illustrate the impacts, we have included the attached plans that compare our lot to the *adjacent* elongated lot that is typical of the Pemberton Heights Neighborhood. Consider the following:

- 1) Located on Harris Boulevard, the primary thru street for the Pemberton Heights Neighborhood, and two blocks off of Windsor Road (West 24th Street), the primary access point from the south (Mopac, Lamar, UT and West Austin) -- our lot is located at this neighborhood's "front door" -- versus a less visible location deeper within the neighborhood fabric. Because of the prominence of its location, we feel it is important that it reinforce the neighborhood priorities in projecting a friendly and welcoming image (see Plan 5).
- 2) Because it is a corner lot, we have deep setbacks on the full extent of both the front (25') and side (15') yards -- versus a single 25' setback at a narrow front yard. As a result, the buildable area of our lot is approximately 50% of the legal lot area versus approximately 66% for the adjacent "typical" property -- while over 80% of the lot area is located to the front and side yard setback areas or "public face" of the property where it contributes to the overall quality of the neighborhood as compared to only 30% for the adjacent typical lot (See Plan 6).

Of equal impact with regard to its position within the fabric of the neighborhood and potential for reinforcing its values as a pedestrian friendly and welcoming environment, over 50% of its periphery is visible and exposed to the public at a high volume thru street -- versus only 20% of the typical elongated lot located at mid-block on lesser traveled internal neighborhood streets. Effectively, our lot has 3 times greater curb exposure than the typical PH lot. (see Plan 7).

- 3) Because of the narrow streets, Pemberton Heights lots have an additional 10' ROW setback of pervious coverage versus impervious street area than that which is typical of other Austin neighborhoods. Within Pemberton Heights, the increase in pervious area on our property is approximately 3 times greater than that of the typical elongated mid-block lot because of its corner location.

Specifically, our lot has an additional 1,892 SF of pervious coverage (2,080 SF total ROW less 198 SF existing Impervious coverage) which would be impervious in a typical Austin neighborhood -- or approximately 3 times more pervious coverage than the adjacent typical elongated Pemberton Heights Neighborhood lot, even though we are 1,352 SF smaller in legal lot area. It is interesting to note that while the area of our "legal" lot is one of the smallest in the neighborhood -- when taking into account the "effective visual area" of our lot inclusive of the deeper ROWs, our lot is one of the larger and more visually prominent (see Plan 8).

- 4) Because of the narrow streets in the Pemberton Heights Neighborhood combined with minimal off-street parking due to the narrow lot configurations, public safety becomes an issue which should be taken into account in considering our variance request. Quite frequently, cars are parked on either side of both our front and side streets restricting the street width available for thru traffic. With regard to our front street (Hardouin Avenue), cars parked on either side restrict the width available for thru traffic to only one lane -- while obstructing views of on-coming traffic at its intersection with Harris Boulevard (see Plan 9).

Taking into account the deeper ROW associated with narrow streets in the Pemberton Heights Neighborhood, the effective area of our lot is 12,969 SF, or 11,228 excluding the normal 8' setbacks not

included in impervious coverage calculations – raising the equivalent Impervious Coverage allowable at 45% to 5,053 SF (see Plan 10). Using this area as a baseline for comparison, the improvements being requested would equate to the following:

	<u>TOTAL AREA</u>	<u>IMPERV. COVERAGE SF</u>	<u>IMPERV. COVERAGE %</u>
Legal Lot Area	9,149 SF	4,759 SF	52 %
Additional ROW Area	2,080 SF	188 SF	9 %
Combined Areas	11,229 SF	4,947 SF	44 %

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

Because of the impacts of our unique lot configuration, deeper ROW setbacks and corner location at the “front door” to the neighborhood as described above, we believe that the resulting *prominence* and *heightened neighborhood visibility* are unique attributes of this lot that we see both as an opportunity and “*social responsibility*” for reinforcing the Pemberton Heights Neighborhood priorities. We believe that this increased “*social responsibility*” may also be viewed as a “*hardship*” for this property -- and as such, the basis for which we are requesting a variance to allow the addition of a more welcoming open porch to the front face of our residence as a means of improving the quality, character and friendliness of the PH Neighborhood while integrating our house with the neighborhood pedestrian network.

Because of the inherent hardships that are unique to this lot due to the narrow streets and corner location on one of the neighborhood’s busier thru-streets as described above, we cite the improvement to the public safety and security of the PH neighborhood as a basis for requesting a variance to allow the addition of one off-street parking space as indicated. The addition of this space will help to minimize cars on the street which restrict thru traffic circulation to one lane and obstruct views at this intersection – while reducing the potential for vandalism and crime as has become more and more prevalent in this area.

(b) The hardship is not general to the area in which the property is located because:

As presented earlier, the typical lot that is general to the Pemberton Heights Neighborhood area does not have the *heightened lot visibility, prominent corner location or percentage of area dedicated to the “public side”* thereby contributing to the overall quality of the neighborhood as does our lot. Furthermore, the typical neighborhood lot within the City of Austin does not either benefit from the deeper ROW’s and pedestrian character – or experience the same traffic and public safety issues associated with the narrow streets as does the Pemberton Heights Neighborhood. Within the neighborhood, the typical lot does not present the equivalent traffic safety issues that are experienced at our lot due to its corner location at a major thru street serving the neighborhood.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Granting of this variance will not alter the character of the area adjacent to the property, but is requested in order that we may improve the *character, quality, friendliness* and *safety* of the Pemberton Heights Neighborhood as a whole.

Granting of this variance will not impair the use of the adjacent conforming property, but by reducing on-street parking will improve the safety of this property and neighborhood as a whole.

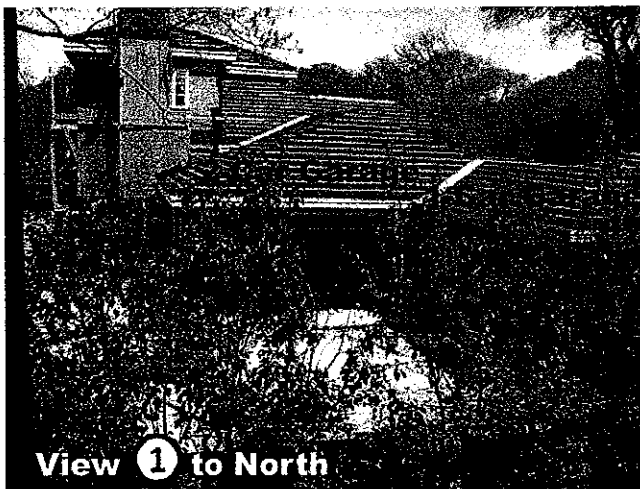
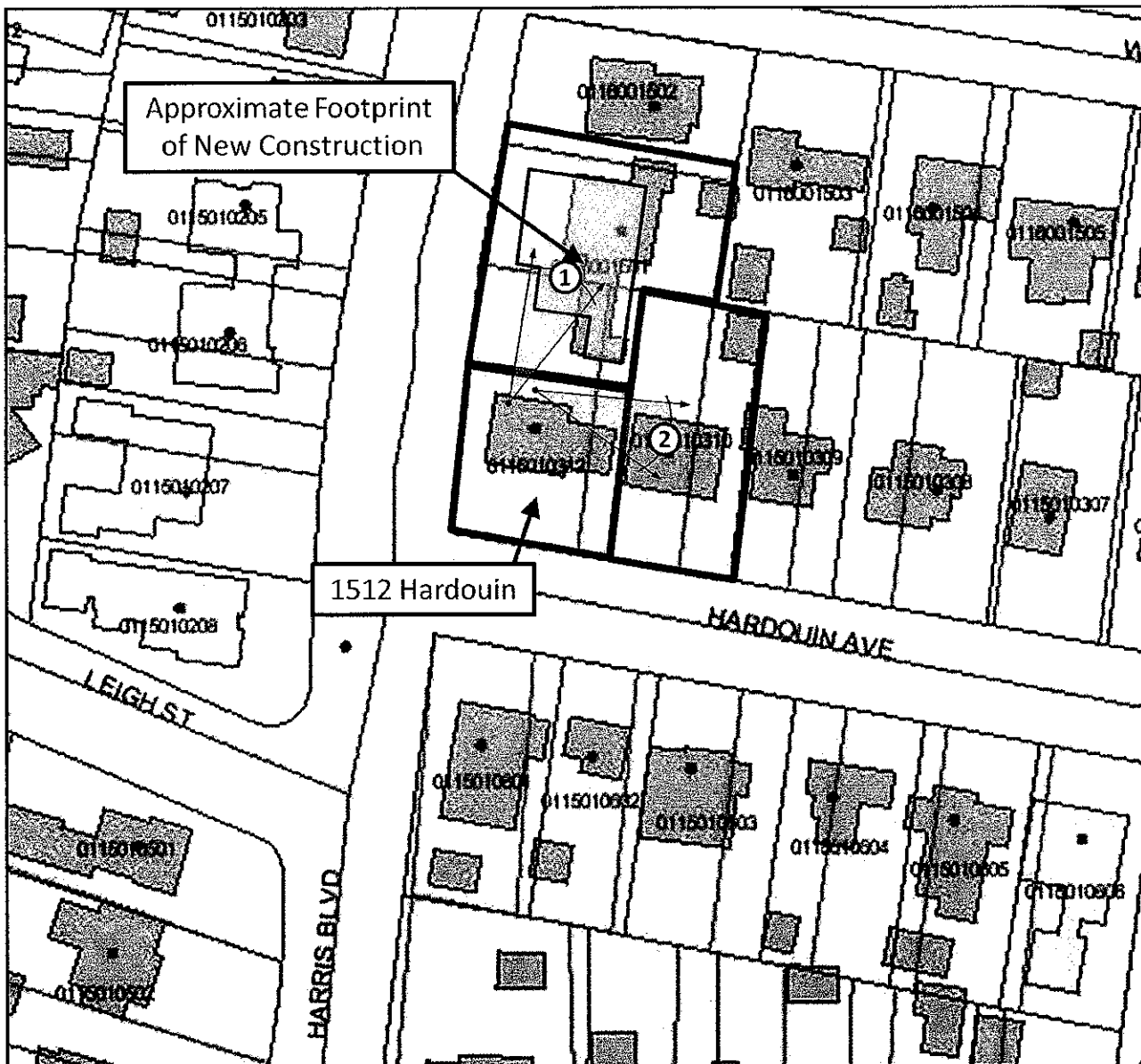
Granting this variance will not impair the purpose of the regulations of the zoning district, but rather allow the Board of Adjustments to use its discretion in making win-win trade-offs which take into account the increased pervious coverage inherent in our neighborhood against any "added value" which may be achieved through the appropriate improvements which improve its quality (see Plan 10).

While we are able to achieve our personal goals for expanding our residence within the current FAR and Impervious Coverage allowables, we feel that the requested improvements will result in a better, friendlier and safer neighborhood for all of us living in Pemberton Heights -- and are therefore willing to invest in the additional costs to the project though they will not increase the value of our property. *We ask for your support.*

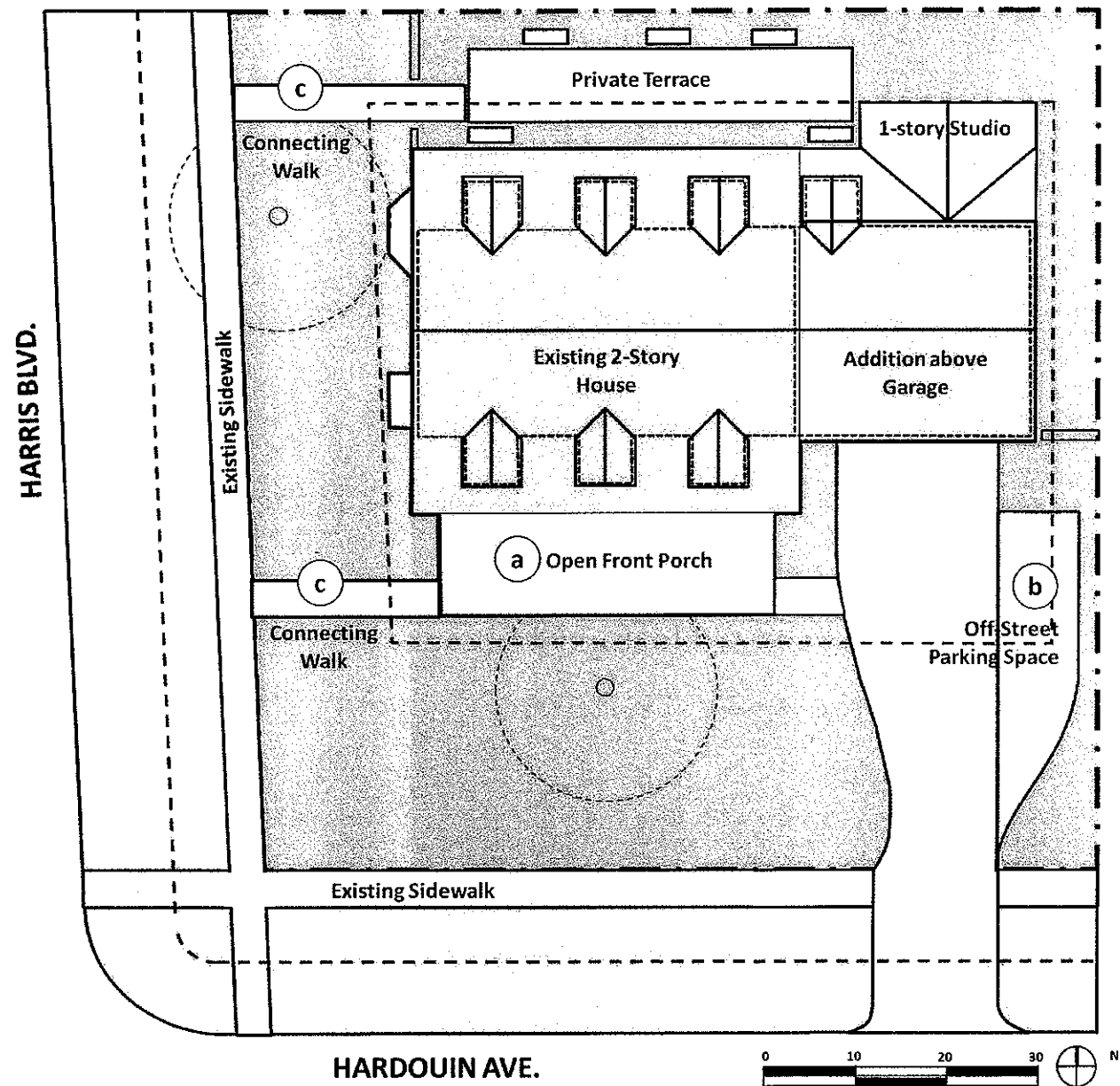
NEIGHBORHOOD SUPPORT:

In advance of this request through the Board of Adjustments, we received a required unanimous vote of the sitting members of the **Residential Design and Compatibility Commission (RDCC)** to grant a Variance allowing our proposed additions to the existing residence. During the hearing it was noted that they had not seen a project that has received as much neighborhood support. Attached as Additional Materials is an area plan illustrating the full support of all neighbors living within 300' of our residence. In total, over 40 letters of support were received.

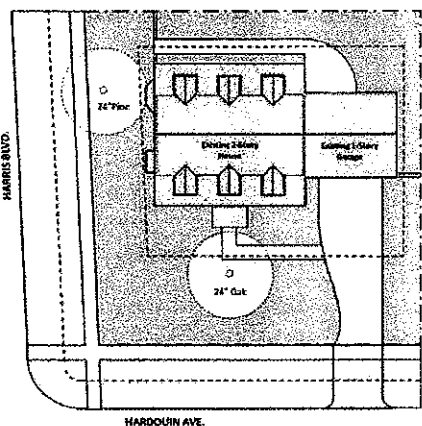
Adjacent Structures



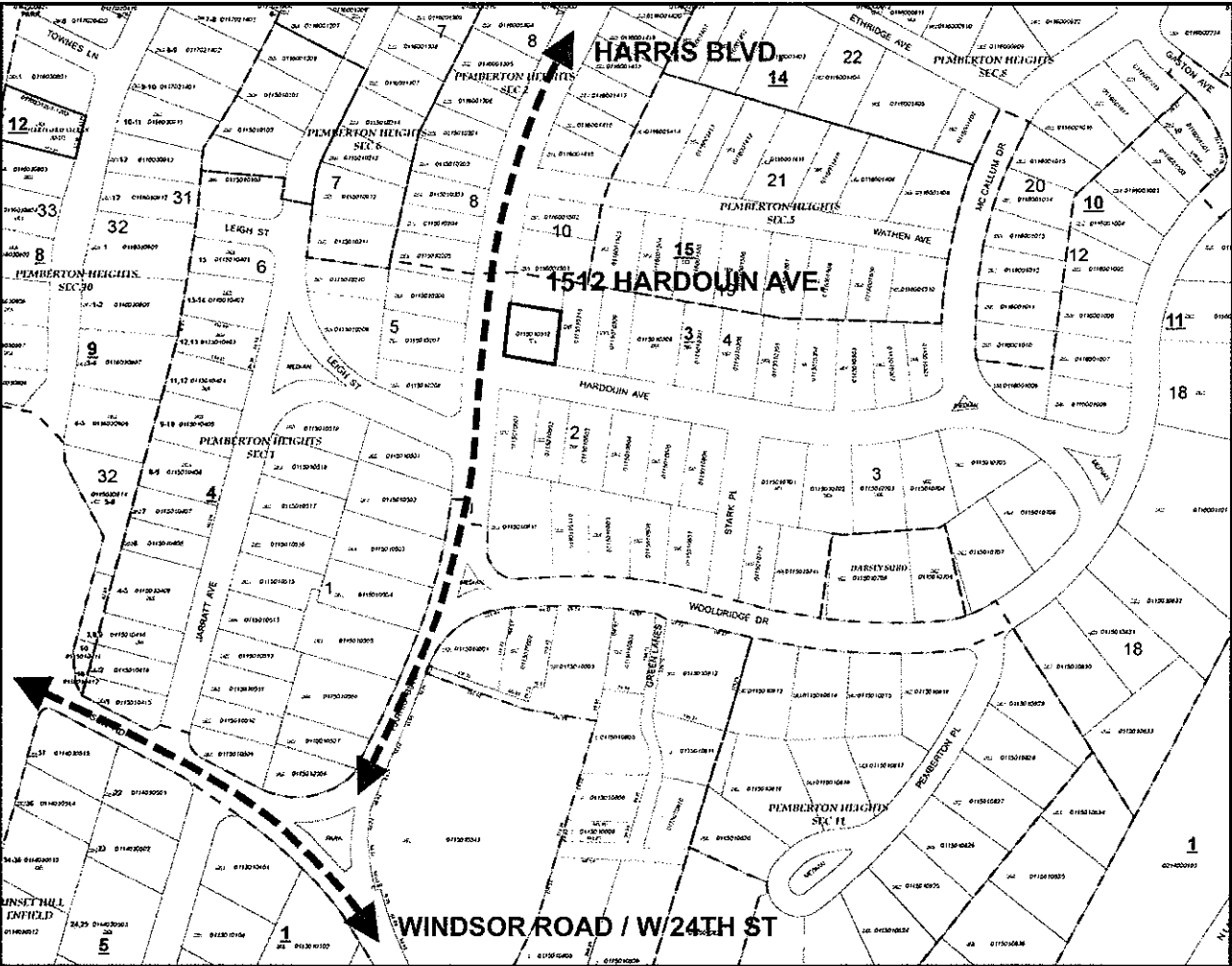
Proposed Site Plan



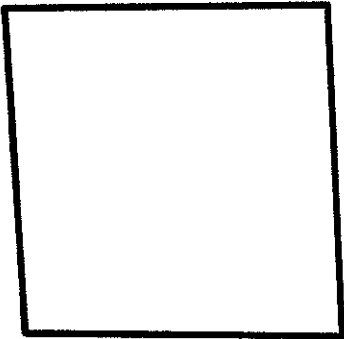
Existing Site Plan



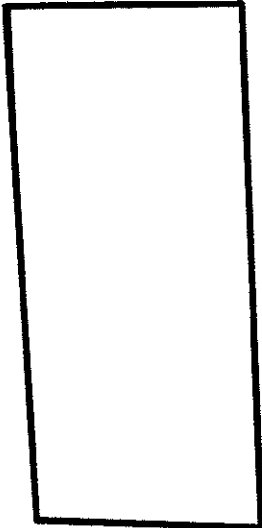
Area Plan



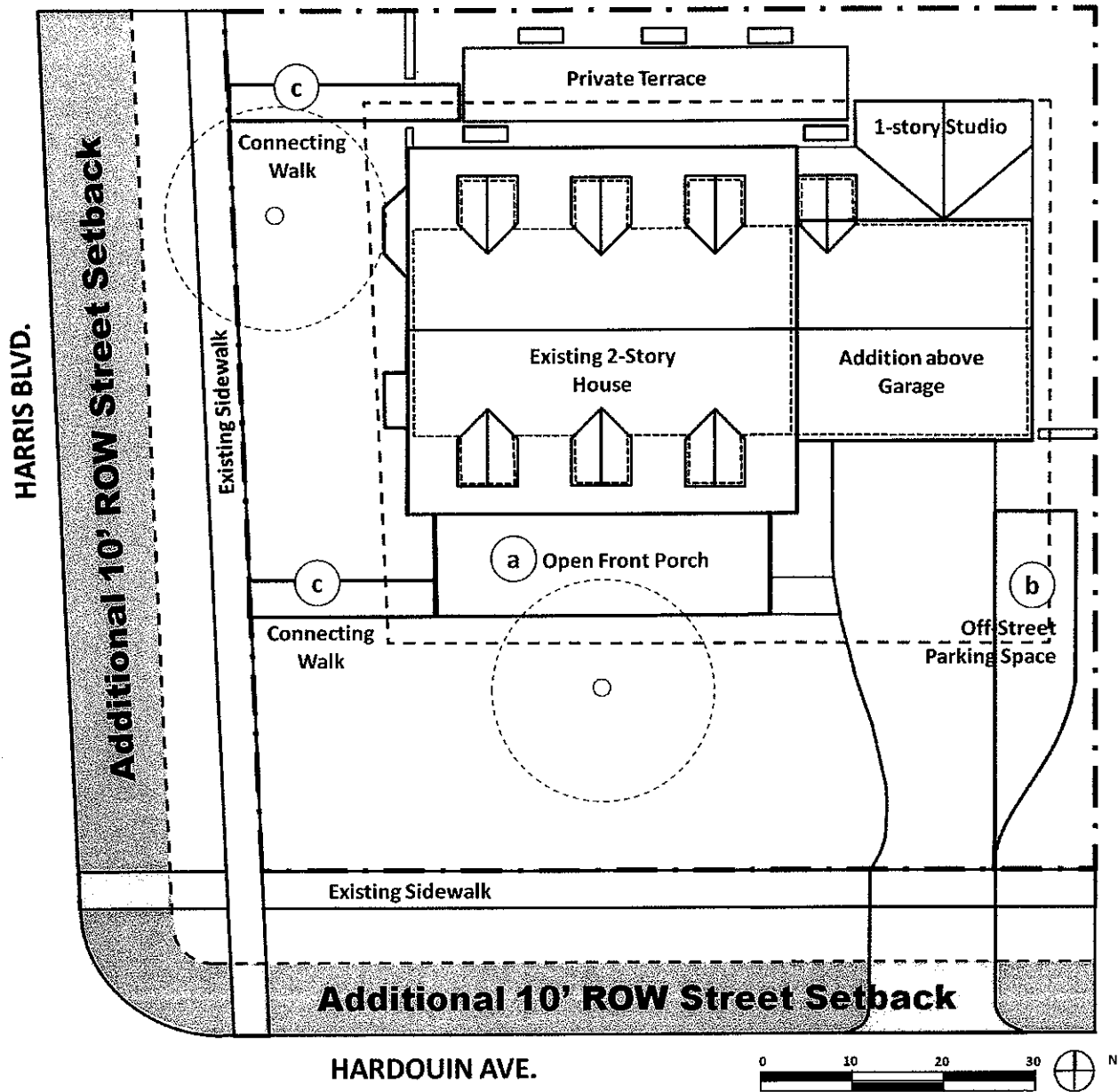
Unique Square Lot Configuration



Typical Elongated Lot Configuration



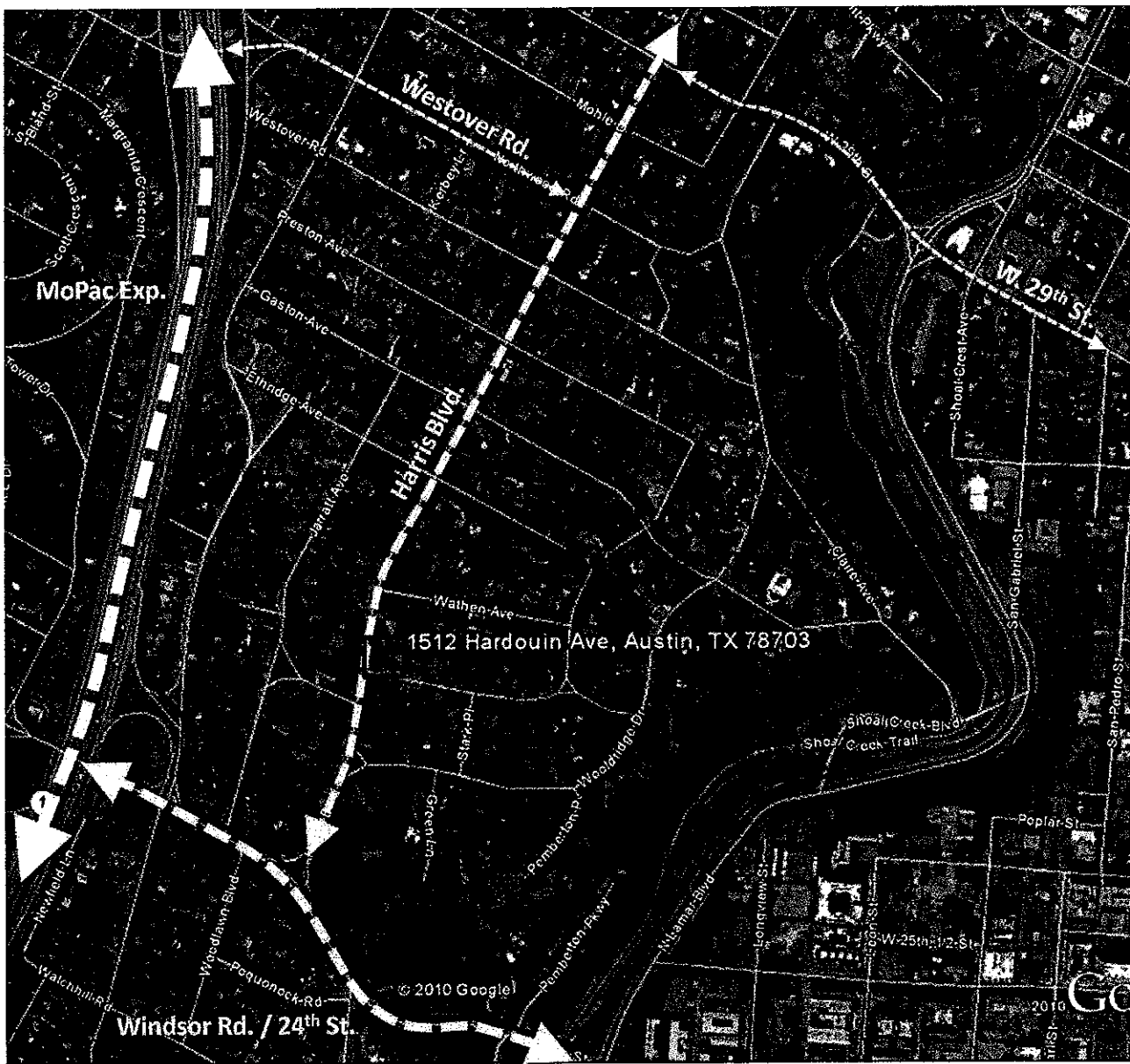
Additional Right-of-Way



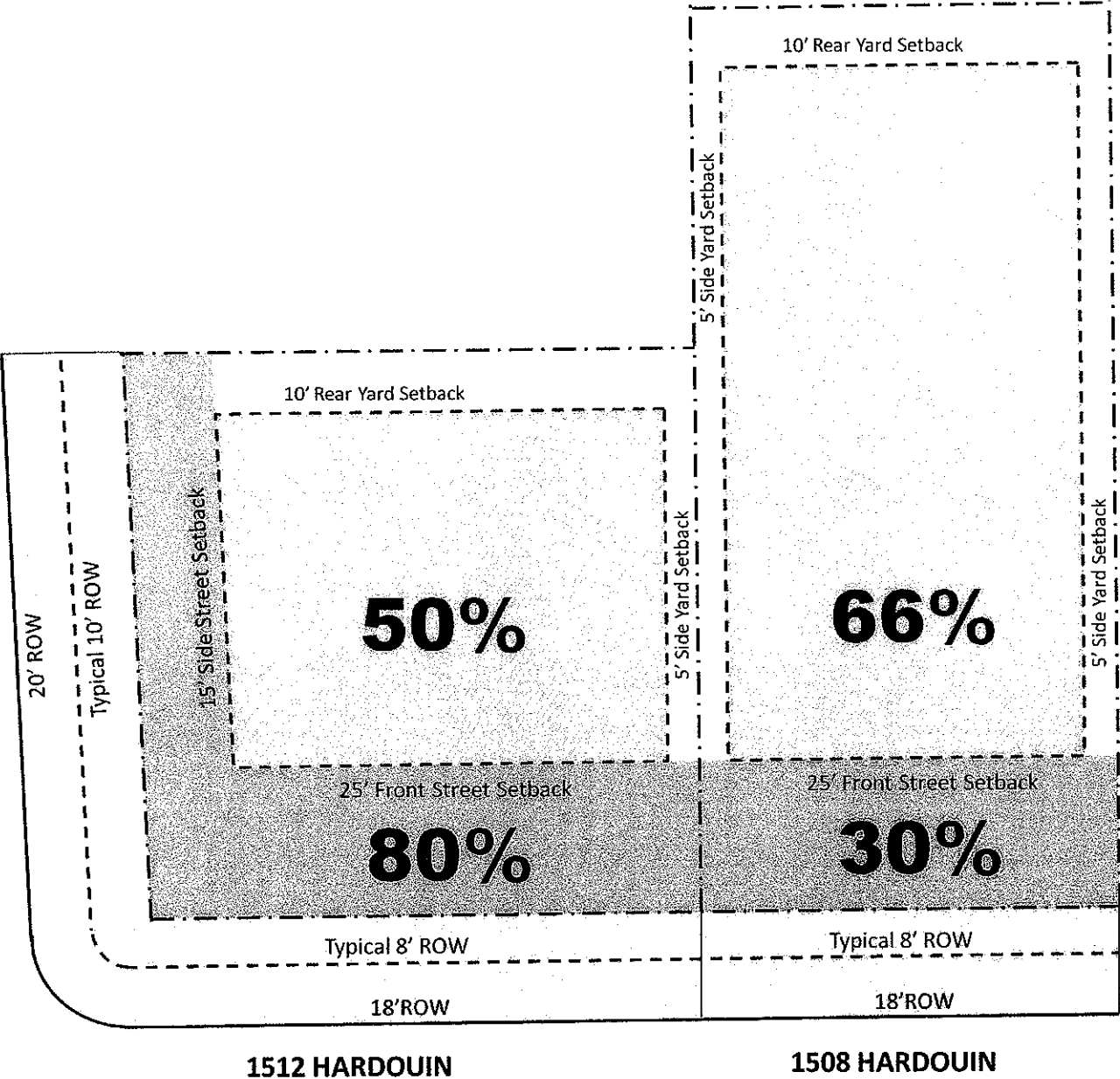
2,080 SF of Additional ROW Area

1,892 SF of Additional Pervious Coverage

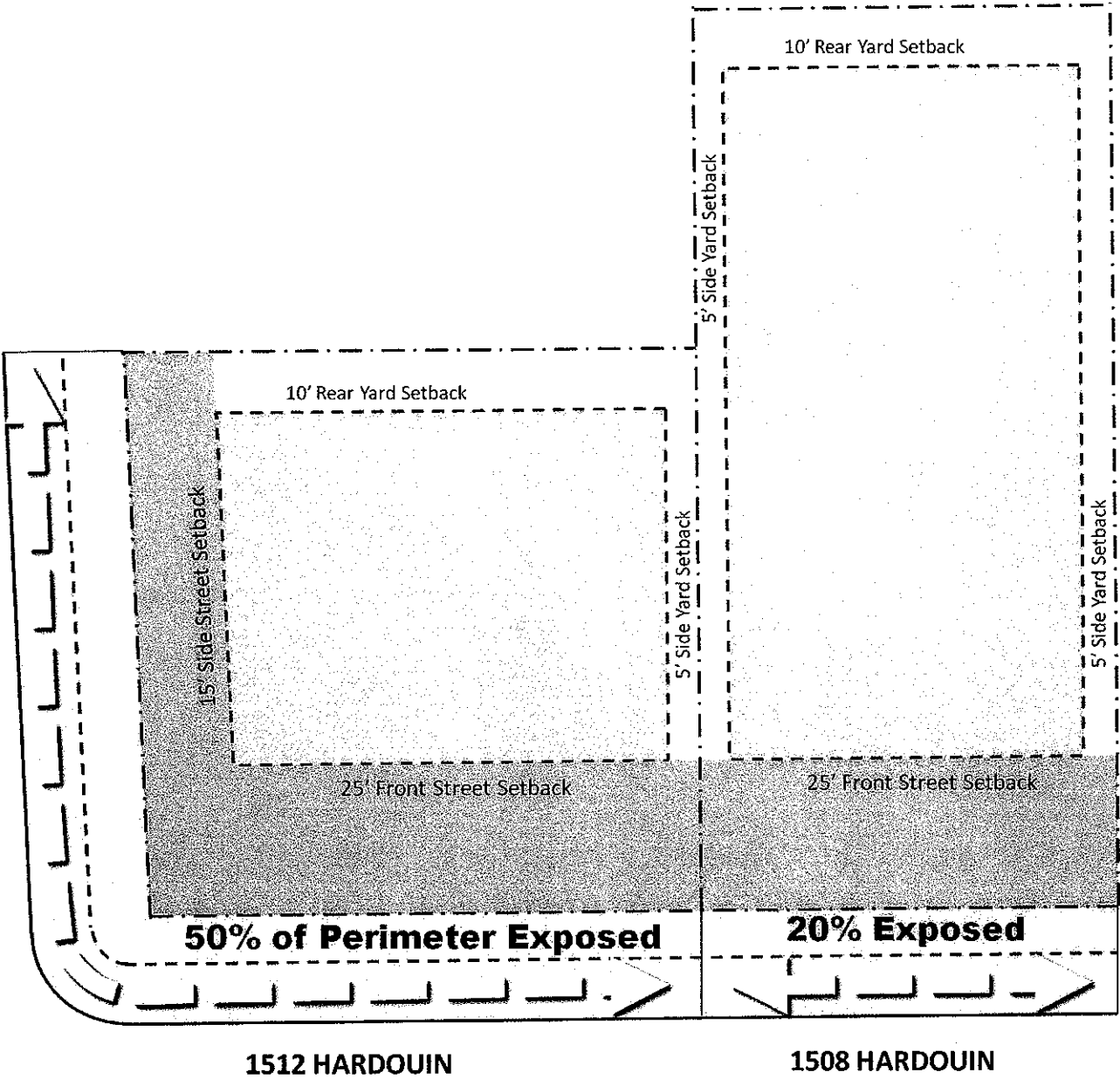
Neighborhood Access & Circulation



Lot Comparison

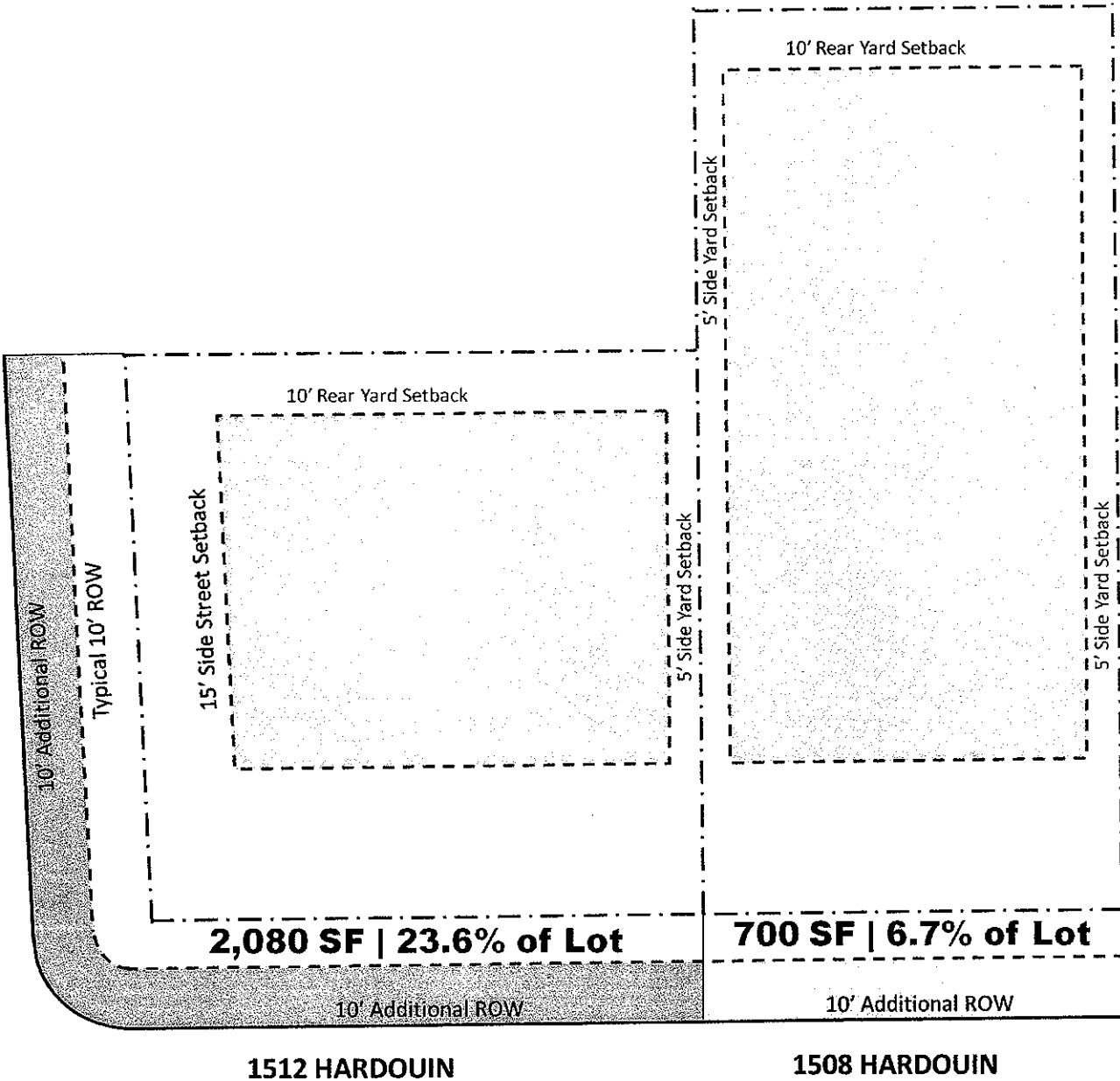


Lot Visibility



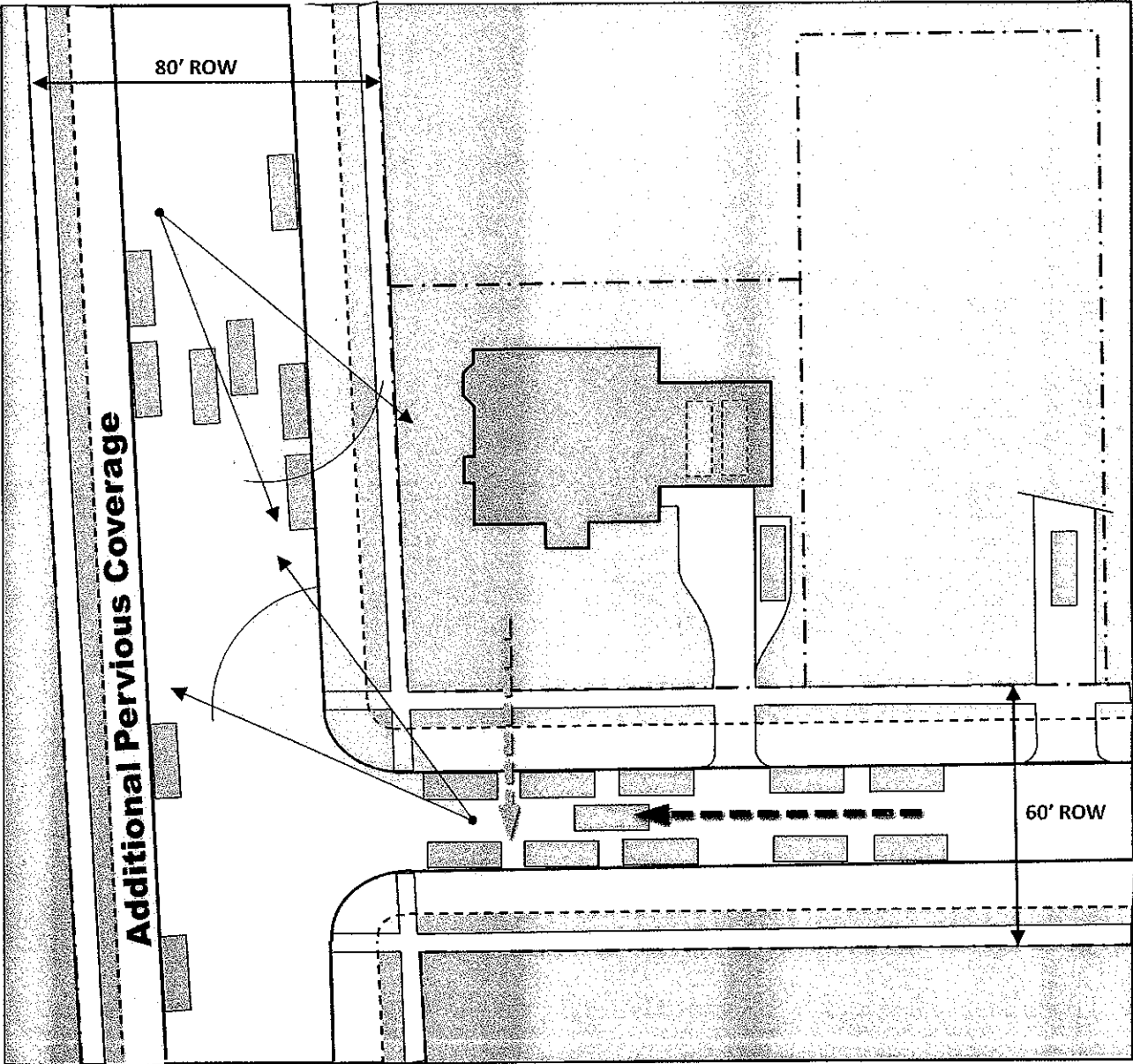
**300% Greater Curb Exposure
than Typical PH Lot**

Additional Pervious Coverage

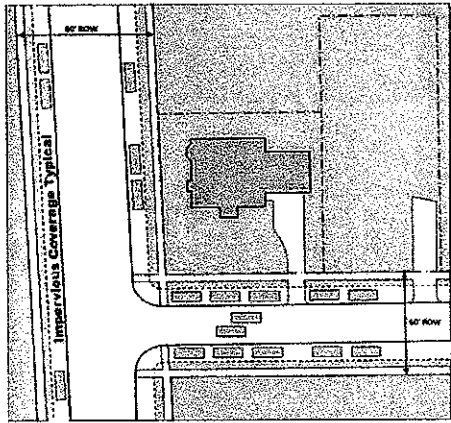


**300% Additional
ROW | Pervious Coverage
than Typical PH Lot**

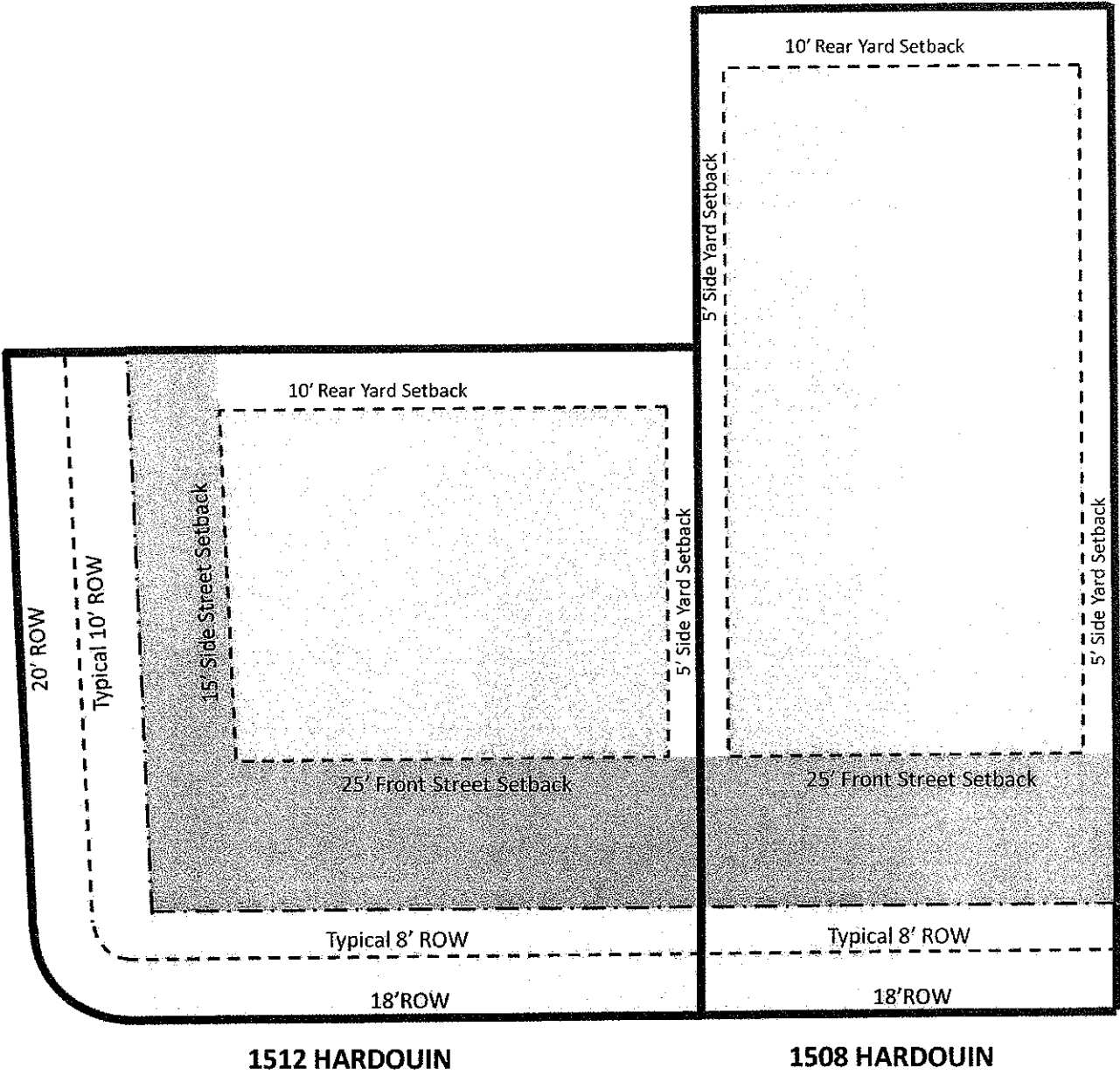
Traffic Safety Issues



Typical Neighborhood Setbacks



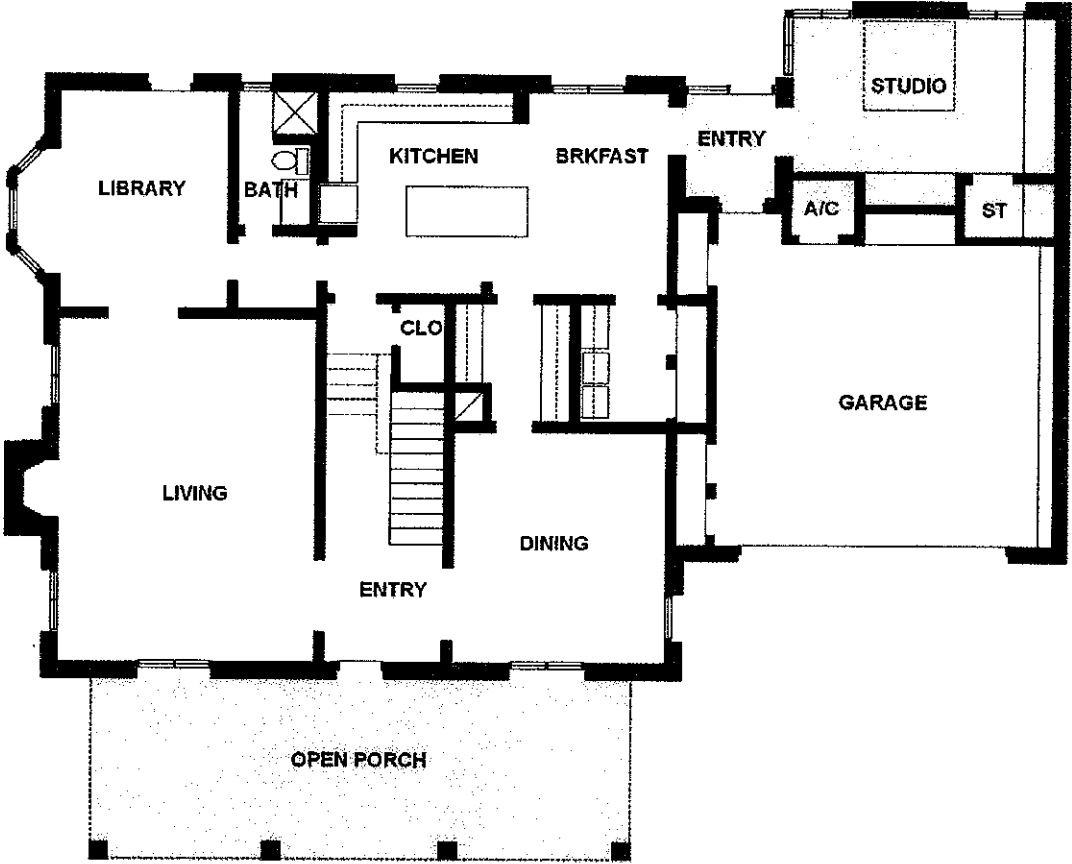
Effective Lot Area



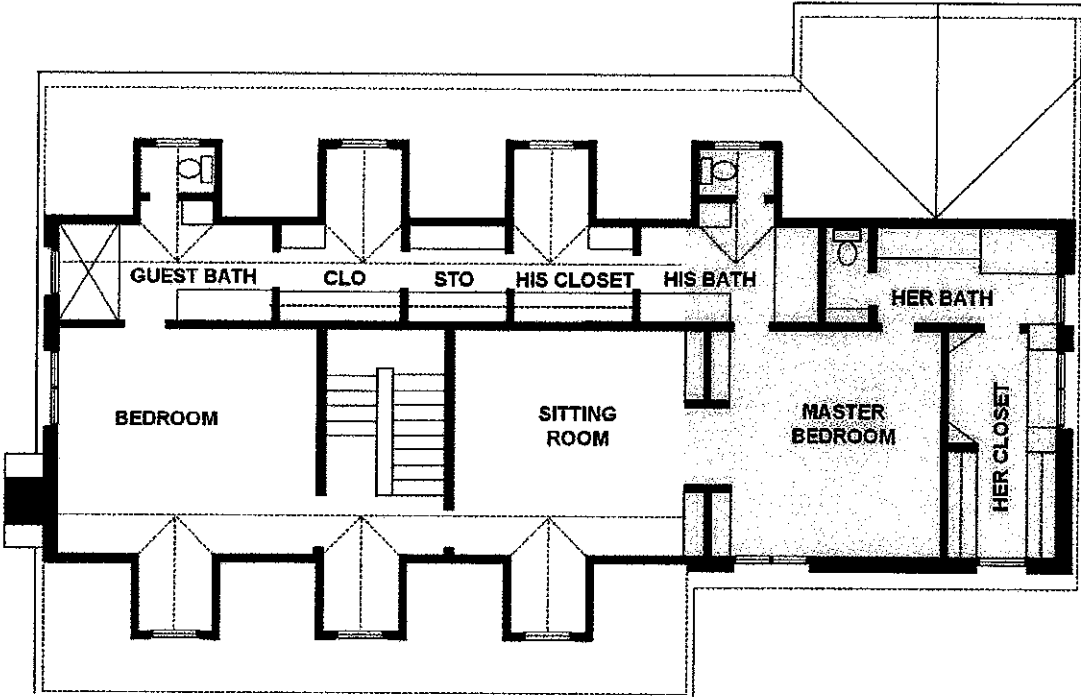
Lot Area: 9,148 SF
Effective Lot Area: 12,969 SF

Lot Area: 10,500 SF
Effective Lot Area: 11,757 SF

Floor Plans

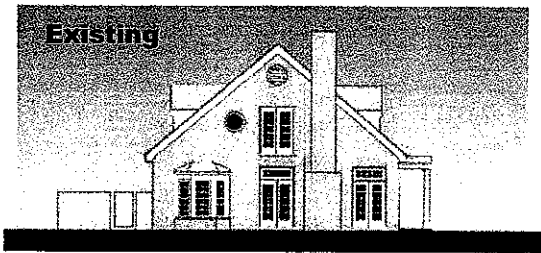
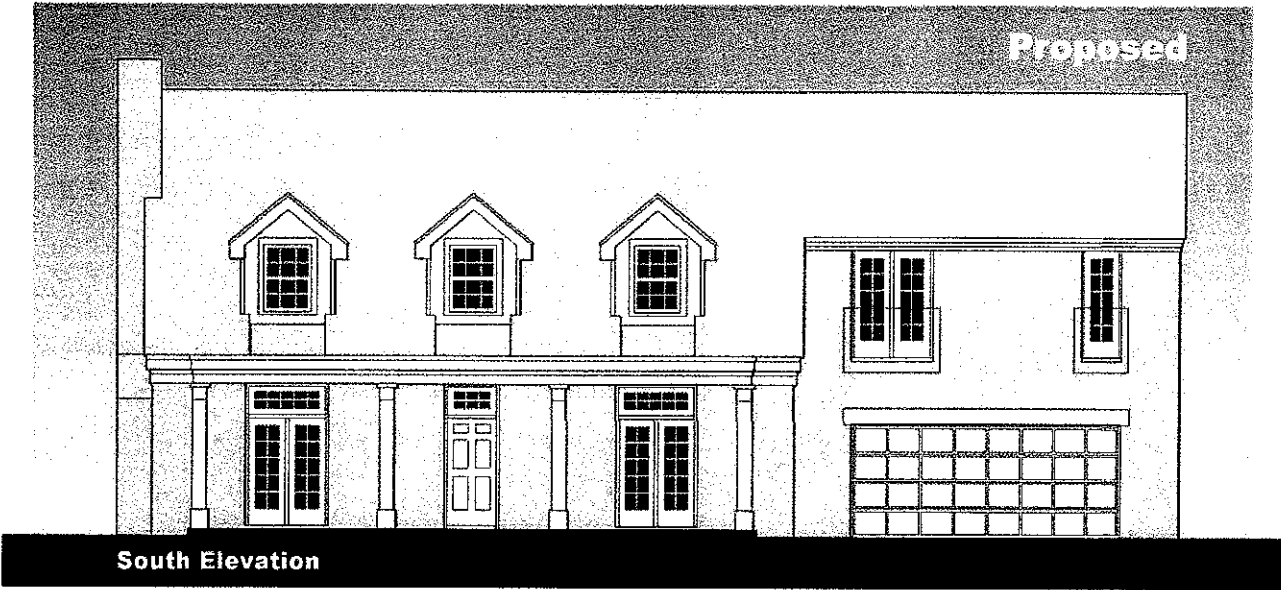


First Floor

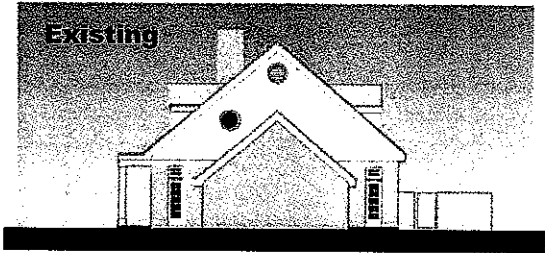
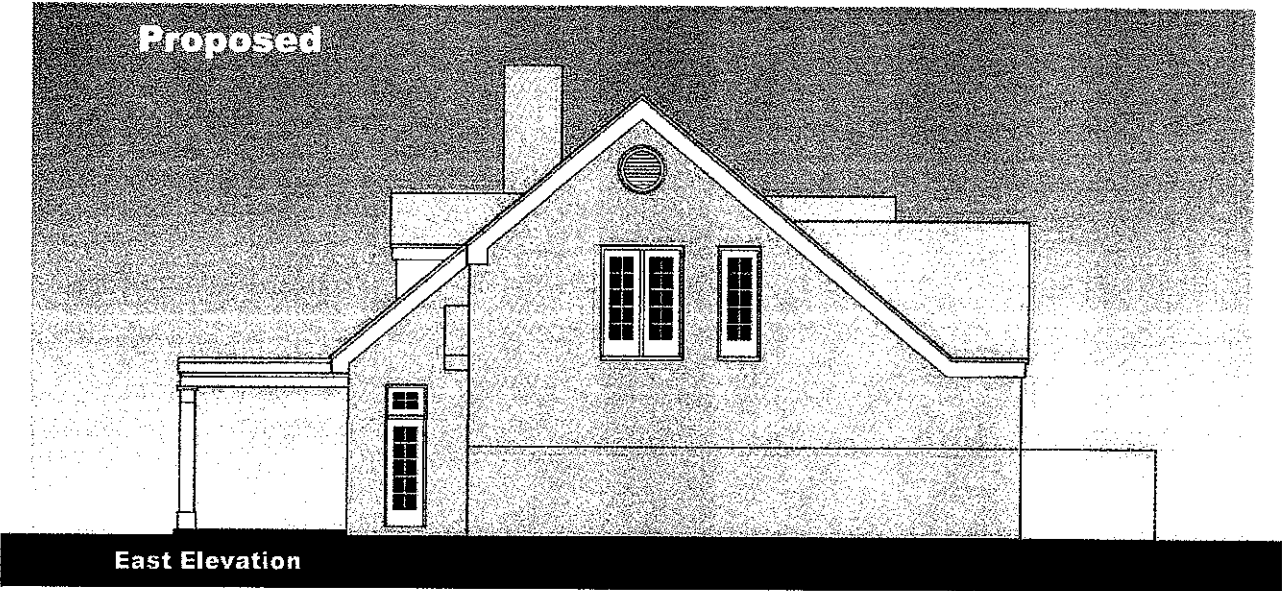


Second Floor

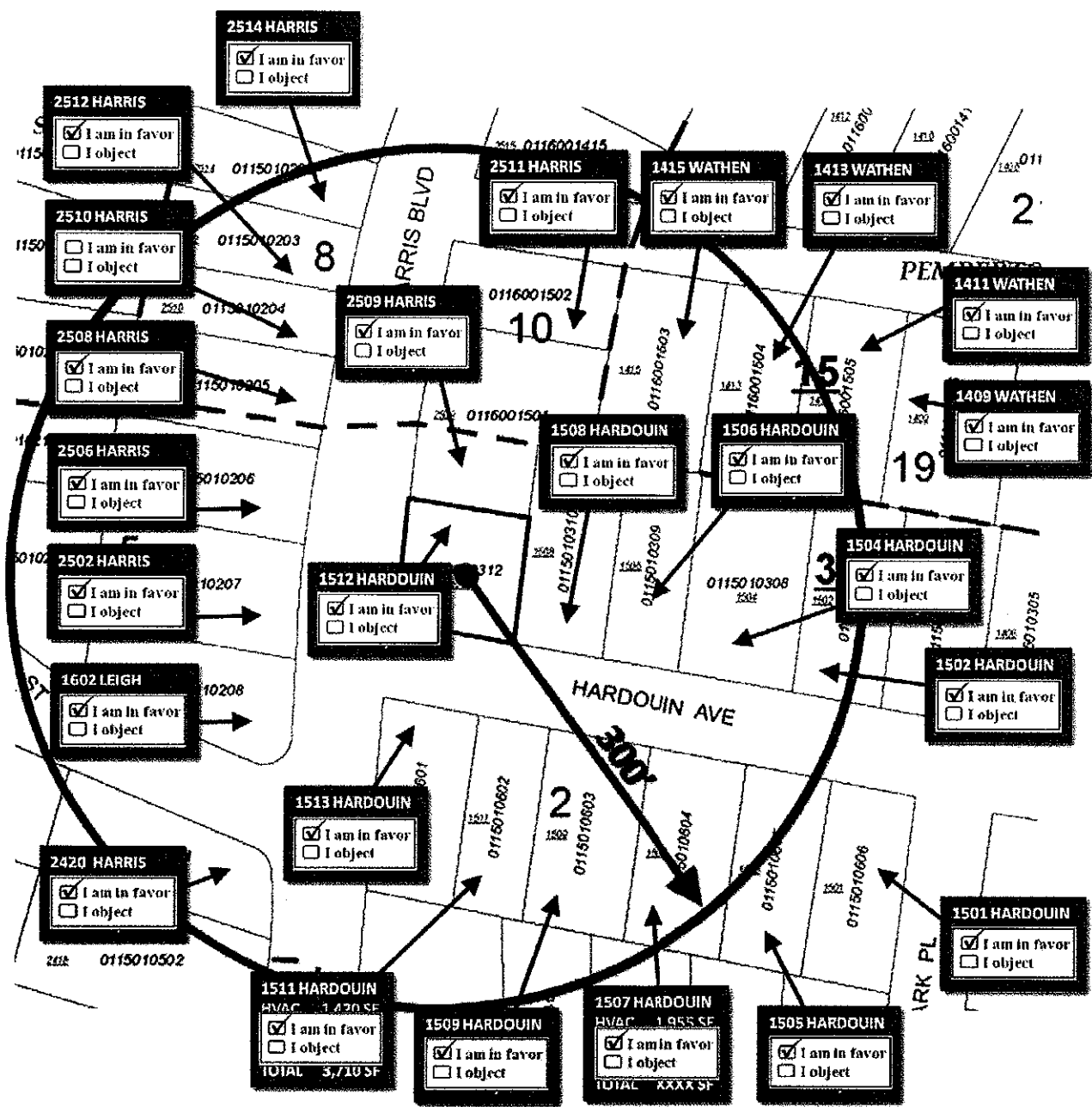
Exterior Elevations



Exterior Elevations



RDCC Neighborhood Support



Over 40 Letters of
PH Neighborhood Support



SUBJECT TRACT



ZONING BOUNDARY

BOARD OF ADJUSTMENTS

CASE#: C15-2011-0046
 LOCATION: 1512 HARDOUIN AVENUE
 GRID: H24
 MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.